REMARKS

Claims 2-4, 6-8, 10-12, and 14 are now pending in this application. By this response to the non-final Office Action dated June 5, 2006, claims 1, 5, 9, 13, and 15-26 are canceled, and the pending claims have been amended to present claims in independent form. The pending claims are all indicated by section 18 of the Office Actions as allowable if (1) rewritten in independent form, and (2) corrected with respect to any 35 U.S.C. §§ 101, 112 deficiencies. As discussed in detail below, the claims have been so amended, and care has been taken to avoid the introduction of new matter. In view of these amendments, favorable reconsideration of the application is respectfully solicited.

Objection to the Drawings

In section 5 of the Office Action, Fig. 4 is objected to because it "should be designated by a legend such as – Prior Art –." Applicants respectfully traverse. Fig. 4 is merely illustrative of various characteristics of variables a, b, c, and d, which are also depicted in Fig. 2, and discussed in detail in the specification.

Rejection Under 35 U.S.C. § 102(a)

In section 17 of the Office Action, claims 1, 9, 15, and 21 are rejected under 35 U.S.C. § 102(a) as being anticipated by admitted prior art of this application. In response, Applicants have canceled the rejected claims 1, 9, 15, and 21. Furthermore, claims 5, 13, and 16-26 have been canceled. As suggested in section 18 of the Office Action, claims 2, 7, 10, and 11 have been rewritten in independent form. Claims 4, 6, 12, and 14 have been amended to adjust claim dependencies and make changes reflecting the new independent format of their parent claims.

Rejections Under 35 U.S.C. § 112 ¶ 1

In section 9 of the Office Action, claims 3 is rejected under 35 U.S.C. § 112 ¶ 1. In particular were cited the following limitations: "m-bit immediate value," "allocation judging unit," "exclusion specifying unit," and a "re-allocation data selecting unit."

With respect to the recited "m-bit immediate value," Applicants have amended claims 2, 7, 10, and 11 to replace any instances of "an m-bit immediate value indicating a location" to "an address." These amendments are supported by the disclosure of Fig. 9, and therefore meet the requirements of 35 U.S.C. § 112.

With respect to the recited "allocation judging unit" (and the similar "allocation judging step") limitations, Applicants have amended claims 2, 7, 10, and 11 to replace the phrase "an n-byte memory area, where $n \leq 2^m$" with "within a predetermined address range from the starting address of the memory area, which corresponds top the address range being accessible with a single instruction." Similarly, recitations of "the allocation judging . . . to a yet another memory area" have been replaced with "the allocation judging . . . within a predetermined address range from the starting address of a yet another memory area, which corresponds to the address range being accessible with a single instruction." These amendments are supported by the disclosure of step S1009 illustrated in Fig. 3, and therefore meet the requirements of 35 U.S.C. § 112 ¶ 1.

With respect to the recited "exclusion specifying unit," Applicants have amended claims 2 and 10 to replace the phrase "a second criterion relating to a different one of the data attributes" with "a descending order of a size of each data item." These amendments are supported by the disclosure of step S1010 illustrated in Fig. 3, and therefore meet the requirements of 35 U.S.C. § 112 ¶ 1.

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Further with respect to the recited "exclusion specifying unit," Applicants have amended claims 7 and 11 to replace the phrase "a second criterion relating to a different one of the data attributes" with "an ascending order of the reference frequency representing how frequently a corresponding data item is referenced." These amendments are supported by the disclosure found in "Supplemental Remarks" of the specification, and as well by the disclosure of Fig. 16, and therefore meet the requirements of 35 U.S.C. § 112 ¶ 1.

With respect to the "re-allocation data selecting unit," Applicants respectfully argue that the recited limitation is supported by the disclosure of the step S1014 illustrated in Fig. 3, and therefore meet the requirements of 35 U.S.C. § 112 ¶ 1.

Rejections Under 35 U.S.C. § 112 ¶ 1

In section 11 of the Office Action, claims 4 and 12 are rejected under 35 U.S.C. § 112 ¶ 2, as being indefinite. In particular were cited the following limitations: "m-bit immediate value," and "a first criterion."

With respect to the "m-bit immediate value," as discussed above, Applicants have replaced the rejected limitation with limitations that fully meet the requirements of 35 U.S.C. § 112.

With respect to the "a first criterion," Applicants have amended claims 2, 4, 7, 10, 12, and 14 to replace the phrase "a first criterion related to one of the data attributes" with "a descending order of an alignment of each data item." These amendments are supported by the disclosure of step S1005 illustrated in Fig. 3, and meet the requirements of 35 U.S.C. § 112.

Rejections Under 35 U.S.C. § 101

In section 14 of the Office Action, claims 10-14 are rejected under 35 U.S.C. § 101 as being directed to non-statutory subject matter. In response, Applicants have amended the claims to recite "a *machine-implemented* data location determining method," thereby explicitly limiting the claim to a machine, as discussed in the Office Action. The specification details the "useful, concrete, and tangible result" performed by the recited method. These amendments, in conjunction with the other amendments to claims 10-14 discussed above, overcome the rejection under 35 U.S.C. § 101.

Applicants believe that the application is in condition for allowance, and respectfully request the Examiner's favorable consideration.

To the extent necessary, a petition for an extension of time under 37 C.F.R. 1.136 is hereby made. Please charge any shortage in fees due in connection with the filing of this paper, including extension of time fees, to Deposit Account 500417 and please credit any excess fees to such deposit account.

Respectfully submitted,

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